

REMARKS

This communication is responsive to the restriction requirement dated April 19, 2010. Claims 1, 7–11, 13, 17, 20, 22, 23, 26, 39, 40 ,49, 53, 59, 63, 68, 69, 71, 77, and 78 are pending in the application, following a preliminary amendment dated July 28, 2006, and prior to entry of the present claim amendments. In the restriction requirement, the Examiner restricted the above-identified patent application, requiring election of a single group of claims for prosecution under 35 U.S.C. § 121. In response, Applicants have (A) elected, without traverse, Group VIII, claim 78, drawn to a method of treating a medical condition; (B) canceled, without prejudice, the claims corresponding to the unelected groups; and (C) added new claims 98–116 that correspond to the elected invention. Applicants reserve the right to pursue any of the canceled claims at a later time. Further aspects of the election and claim amendments are described below.

I. Restriction Requirement

The Examiner required election of one of the following eight groups of claims for prosecution:

- Group I: Claims 1, 7–9, 10, and 11, drawn to a coated stent;
- Group II: Claims 13, 17, 20, 22, 23, 40, and 49, drawn to a method of
treating a vessel;
- Group III: Claim 26, drawn to an alginate coating;
- Group IV Claims 28 and 39, drawn to an alginate implant;
- Group V Claim 53, drawn to a system for forming an alginate implant.
- Group VI Claims 59, 63, and 68, drawn to a method of forming an
alginate implant.

Group VII Claims 69, 71, and 77, drawn to an alginate bioreactor.

Group VIII Claim 78, drawn to a method of treating a medical condition.

In response, applicants elect, without traverse, the invention of Group VIII (claim 78) for prosecution in the present application. Applicants have added eighteen new dependent claims, 98–116, which depend from and further limit the invention of claim 78.

II. Claim Amendments

The present communication adds eighteen new claims, namely, claims 98–116, all of which depend directly or indirectly from elected claim 78. Each of the new claims is fully supported by the application and corresponds to the elected invention. Exemplary support for each amendment is listed, without limitation, in the following table:

<i>Claim</i>	<i>Exemplary Support</i>
98 (Independent)	Original claim 79
99	Original claims 6, 32, and 72
100	Original claim 20
101	Original claim 80
102	Original claim 81
103	Original claims 74 and 82
104	Original claim 83
105	Original claim 84
106	Original claim 85
107	Original claim 86
108	Original claim 87
109	Original claim 88
110	Original claim 89
111	Original claim 90

<i>Claim</i>	<i>Exemplary Support</i>
112	Original claim 91
113	Original claim 92
114	Original claim 93
115	Original claim 94
116	Original claim 95

Claims 98 and 101–116 correspond to claims that depended from claim 78 in the parent PCT application. These claims were canceled by preliminary amendment, to reduce the total claim count, when applicants entered the national phase. Claims 99 and 100 correspond to dependent claims that did not initially depend from claim 78.

III. Conclusion

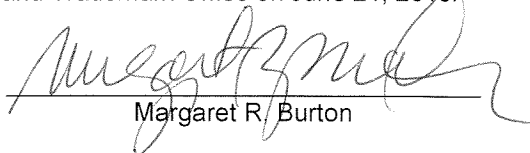
Applicants have responded fully to the restriction requirement. However, if the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

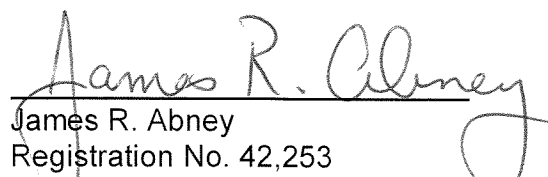
Respectfully submitted,

KOLISCH HARTWELL, P.C.

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